

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/809,176
Applicant: Egbert MUNDT, *et al.*
Confirmation No.: 6825
Filed: March 24, 2004
Group Art Unit: 1648
Examiner: Mary Mosher
For: An Infectious Bursal Disease Virus (IBDV) Mutant Expressing
Virus Neutralizing Epitopes Specific for Classical and Variant
IBDV Strain
Attorney Docket: 2003.002 US

February 13, 2008

**INFORMATION DISCLOSURE STATEMENT AND TRANSMITTAL
OF FEE PURSUANT TO 37 CFR 1.97(c)**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

To comply with 37 CFR §§1.97 and 1.98, Applicants submit the enclosed Form PTO/SB/08A, and copies of the cited references, to the extent required.

In accordance with MPEP §§609 and 707.05(b), Applicants request that the enclosed statement be given thorough consideration, and that the Examiner make the cited information of record by initialing the statement next to each citation. Applicants request such initialing even if

the Examiner does not consider: (1) the cited information to be sufficiently pertinent to use in a rejection, or (2) the guidelines for a citation to have been fully satisfied. Applicants make this request so that the information will be cited on the face of a patent issuing from this patent application.

Applicants submit this statement in accordance with the duty to disclose information material to patentability under 37 CFR §1.56. Applicants, however, are not admitting that the information is necessarily relevant or prior art. In addition, Applicants are not representing that the cited information represents the results from a complete search. Applicants anticipate that the Examiner, in the normal course of examination, will make an independent search consistent with 37 CFR §1.104, and, in the course of such search, will review for relevance the cited information, even if not initialed.

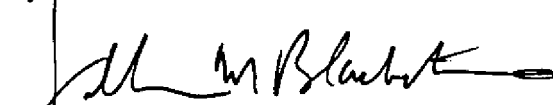
Applicants presume that the Examiner is aware of the scope of the disclosures and claims, as well as any issues raised, searches conducted, and examination results in the parent European priority application (European Patent Application No. 03075842.9), the parent international patent application (*i.e.*, International Patent Application No. PCT/EP2003/01905), and the two European priority applications for International Patent Application No. PCT/EP2003/01905 (European Patent Application No.'s 02075881.9 and 02079827.8). Applicants also presume that the Examiner will take those scopes, issues, searches, and examination results into account when examining the instant application. If the Examiner needs additional information regarding either application, Applicants request that the Examiner notify the Undersigned.

Pursuant to 37 C.F.R. §1.98(a)(2), Applicants have not enclosed a copy of any cited

published U.S. patent reference. Applicants, however, are happy to provide copies of any such reference upon request from the Examiner.

This statement is being submitted (1) more than 3 months after the filing date of this application, (2) after the issuance of a substantive office action, and (3) before the issuance of a final official action or notice of allowance. The Commissioner is hereby authorized to charge the fee under 37 C.F.R. §1.17(p) to Deposit Account No. **02-2334**. Applicants do not believe that they owe any additional fee in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **02-2334**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **02-2334**.

Respectfully submitted,



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